

April 14, 2004

ROBERT CROWE  
6425 – 196<sup>TH</sup> ST SW #315  
LYNNWOOD WA 98036-4545

Subject: Complaint filed against the Patrick Decker campaign – PDC Case No. 04-272

Dear Mr. Crowe:

The Public Disclosure Commission staff has completed its investigation of your complaint received September 29, 2003, alleging that the Patrick Decker campaign failed to timely register with the PDC by filing a C-1 form within two weeks of the date Mr. Decker became a candidate in the 2003 election, that the campaign failed to timely register a change in its mailing address by filing an amended C-1 form with the PDC, and failed to timely report contributions and expenditures, alleged violations of RCW 42.17.040, 080 and .090.

**RCW 42.17.040** requires candidates to timely file a C-1 Candidate Registration within two weeks of the date they take any action to become a candidate, including raising or spending funds for their campaign or reserving any facilities for campaign use. Any material change to the information contained in the report must be recorded in an amended registration, filed within 10 days.

**RCW 42.17.080 and .090** require candidates to file reports of contributions and expenditures. The reports must be timely, complete, and accurate. A PDC form C-3 must be completed for each bank deposit, and must be filed monthly, except for the four months preceding the election, when a C-3 must be filed each Monday. Except for special reports due 21 and 7 days before each election, a PDC form C-4, summarizing contributions and expenditures, must be filed monthly for periods in which the candidate's committee raised or spent at least \$200 since the close of its last C-4 report.

You alleged that the Patrick Decker campaign made expenditures to reserve a domain name for his campaign Web site in November of 2002, and failed to register with the PDC as a candidate until June of 2003.

- We found that Mr. Decker's personal payment of \$20 to register this Web domain was a campaign expense which should have been timely reported as an in-kind

contribution, and should furthermore have resulted in the filing of a C-1 Candidate Registration within two weeks of the date of the expenditure. However, we found no evidence that the late registration was intentional, or that the Decker campaign realized any material advantage from Mr. Decker's late registration as a candidate.

You alleged that the Patrick Decker campaign failed to timely report a change in the campaign's address by amending the C-1 statement.

- We found that the campaign experienced no change in address, and that what appeared to be a change of address to the complainant was the result of an incorrect address that had been included in Mr. Decker's political advertising in error.

You alleged that Patrick Decker failed to report campaign expenses for photography, and for an entry fee to a July 4<sup>th</sup> parade.

- Mr. Decker indicated that expenses related to printing his campaign announcements were minimal, because the announcements were printed on his home computer. We found that this early expense was an incidental in-kind contribution under \$25 in the aggregate, which is not required to be disclosed on PDC reports. Regarding the parade entry fee, we found that Mr. Decker filed a report on October 3, 2003 listing an in-kind contribution for this expense; we found that the failure to timely report this expense was an inadvertent oversight, and not part of a larger pattern of non-compliance.

You alleged that the Patrick Decker campaign failed to properly report loans received by the campaign.

- We found that due to a misunderstanding of the reporting instructions, the campaign reported several in-kind loans as obligations on Schedule B to the C-4 form. While technically incorrect, this method of reporting effected disclosure, providing the public with the identities of the contributors.

Finally, you alleged that the Patrick Decker campaign failed to timely report contribution and expenditure activity dating from July 2, 2003 through September 8, 2003.

- We found that the lateness of these reports was due to Mr. Decker's confusion regarding the Mini and Full Reporting options, and was corrected by Mr. Decker prior to the filing of your complaint. Mr. Decker's name only appeared on the general election ballot, and following September 8, 2003, when Mr. Decker brought his contribution and expenditure reports up to date, virtually all of the campaign's reports were filed on or before the due dates.

Robert Crowe  
PDC Case #04-272, Patrick Decker

While the Public Disclosure Commission does not condone late filing, given that Patrick Decker does not have a history of late reporting, that the alleged violations were minor in terms of the amount of money that was reported late, and given that corrections were made well before the November 4, 2003 general election, the alleged violations do not warrant further enforcement action. Mr. Decker will be cautioned to carefully follow the schedule of contribution and expenditure reporting in future campaigns, and to ensure that all in-kind and monetary loans, contributions and expenditures are correctly detailed on the appropriate schedules.

After a careful review of the alleged violations and relevant facts, we have concluded our investigation and, with the concurrence of the Chair of the Public Disclosure Commission, I am dismissing your complaint against the Patrick Decker campaign.

If you have questions, please contact Phil Stutzman, Director of Compliance, at (360) 664-8853 or toll-free at 1-877-601-2828 or by e-mail at [pstutzman@pdc.wa.gov](mailto:pstutzman@pdc.wa.gov).

Sincerely,

Vicki Rippie  
Executive Director

c: Patrick Decker